

***TOWN OF NEWFIELDS BOARD OF SELECTMEN
MEETING MINUTES
TUESDAY, OCTOBER 30, 2007***

The meeting was called to order at 6:43pm. Selectmen present were: Wes Moore, Michael Woodworth, and James McIlroy. Others present were: Police Chief Reed, Lt. Gould, Town Counsel Fran Lane, Melissa Lattman of the Exeter Newsletter, Linda Connell and David Beleze representing Verizon Wireless, and John Springer, Project Engineer representing Light Tower Wireless LLC.

Chief Reed reported that the Celebration Committee has asked for permission to close Main Street between Swamscott Street and Hilton Avenue for the Holiday Celebration in December. Chief Reed stated that he has no objection to this. The Selectmen did not object and permission is granted for the street closing.

Chief Reed stated that he has received complaints of vehicles not stopping for pedestrians at the crosswalk located across from the Newfields Community Church. He has spoken with the State, as the crosswalk is on a state road, and was informed that the crosswalk package is outdated. The Chief is looking to the state to update the crosswalk to make it more visible to motorists.

Chief Reed reported that 9 candidates showed up for the physical fitness test which was held last weekend. Only two candidates passed the test and oral boards will be set up for those two candidates. If any certified police officers apply for a part-time position with the Town, they will be considered for the openings.

Wes made a motion to allow full-time employees of the Town of Newfields (working no less than 37 ½ hours per week) to purchase at their own expense Short Term and Long Term Disability Insurance Coverage through the Local Government Center. The premiums for this coverage will be taken directly from the participating employees paychecks. Michael seconded the motion and the motion passed with all in favor.

It was noted that the Town of Newfields is holding a check payable to Civil Design, LLC until such time as the former Town Planner speaks with one of the Selectmen regarding the completion of the handicap ramp at the Town Hall and his recommendations on the issues that have been left outstanding upon his departure.

Linda Connell of McLane, Graf, Raulerson & Middleton drafted an "Amendment To Development Agreement Personal Wireless Facility Baker Street, Newfields, Rockingham County, State of NH". Linda advised that Tower Ventures was sold to National Grid, who then changed their name to Light Tower Wireless LLC. Linda stated

that a new agreement is required with the Selectmen as the original agreement for the cell tower was part of a litigation settlement. The Amendment is to allow the extension of the cell tower to a height of 120 feet.

James asked why AT&T did not go onto the cell tower at 87 feet as originally planned. No one knew why. At this time AT&T and Cingular each have space on the tower. They have not asked to consolidate their two leases into one. Verizon Wireless would not be willing to take the 97 foot slot, but would take the 117 foot slot. The 117 foot slot is not currently available. T-Mobile has a slot on the tower, leaving one open spot available. That slot is not adequate for Verizon Wireless' needs.

James asked what there is to stop another request for a height increase in the tower next year. There is nothing to stop anyone for asking for another height increase, but the request would have to go through the process and be approved by the Planning Board and the Selectmen.

There was discussion about the fact that Light Tower Wireless LLC needs to be in compliance before a building permit can be issued to extend the tower height. The noise from the generator needs to be mitigated and shrubs will need to be planted if not already done so per the original agreement. Cingular will place a sound enclosure on the generator and update the muffler. Light Tower Wireless LLC will plant shrubs if they have not already been planted. Verizon Wireless will have their own generator in an enclosed area.

Fran Lane asked if Light Tower Wireless LLC is registered in New Hampshire. Linda Connell will look into this.

Linda asked for a vote from the Board of Selectmen tonight. Fran advised against taking a vote as he needs to review the proposed Amendment to the Agreement. Right now he feels there needs to be some additional language to protect the original Agreement and the outstanding items need to be addressed. The Selectmen do not see any reason not to approve the 10 foot extension to the cell tower, but are taking the Town Counsel's advice not to vote on the issue tonight.

Wes will go out to look at the cell tower site and also have the Town Planner go to the site to check for shrubs and noise levels. The Selectmen are involved in this issue because the Town originally owned the land and the issue was in litigation.

Wes asked if Verizon Wireless would pay the Town's attorney fees relative to this issue. Verizon Wireless will pay for the legal fees relative to the Planning Board, but cannot pay the legal fees relative to the Selectmen.

Fran will draft a new Amendment to the Development Agreement. The parties to the Amendment will need to sign it once the Amendment has been voted on and approved by the Selectmen.

Wes explained to Fran and James that there is landlocked Town owned property behind the Smith and Dixon properties on Route 87 across from Scanlon Way. The Water and Sewer Department has asked for permission to use that land for a pumping station for the new well (#7). The land is between ¼ and ½ acre in size. Fran suggested transferring the land to the Water and Sewer Department for \$1.00. This would require a vote by the Town and a Warrant Article would need to be drafted. Fran will be in touch with Sue McKinnon for information needed in order to prepare a deed.

A Town Hall Rental Application was signed.

The Piscassic Greenway Management Plan was discussed. Apparently the two representatives from Newfields to the committee have not attended any meetings lately. It has been reported that the draft plan will be ready for the Town to review in the next few weeks. The Selectmen will carefully review the draft plan when it is submitted to them to make sure that Newfields' interests are protected.

The Town received notification that the Public Health Officer's appointment expires in December. They tabled this to a later date.

The mosquito control rates for 2008 from Dragon Mosquito, Inc. were reviewed and preparations made for the public hearing next week.

The Town received notification that the dental insurance rates are going up 2.6% in 2008.

The State of New Hampshire Department of Health and Human Services notified the Town that the application for reimbursement of monies expended for mosquito control was approved. The Town will receive \$6,625.00 from the State.

A copy of a letter from Cynthia Copeland, Strafford Regional Planning Commission and Cliff Sinnott, Rockingham Planning Commission to Ram Maddali, NH Department of Transportation was reviewed. A copy of this letter will be forwarded to the members of the Transportation Advisory Committee as the subject is the proposed bicycle lane in Newfields and Newmarket.

Primex sent a Member Contribution Summary for the Workers Compensation renewal in January. The premium is expected to increase \$793.00.

The proposal from Exeter River Electrical Contractors, Inc. to relocate the electric panel from the Police Department was reviewed. As the cost is more than expected, the work will not be done at this time.

Wes made a motion to accept the minutes of the October 23rd, 2007 meeting. Michael seconded the motion and the motion passed with both in favor. James abstained from voting as he did not attend that Selectmen's Meeting.

James will contact Fran Lane, Town Counsel, to review the renewal Comcast Cable contract. They will work on the revisions/changes that Fran is suggesting so they may be submitted to Comcast for their review and approval.

The Selectmen reviewed the appointment made with the Budget Advisory Committee and the draft budgets submitted by the various departments.

At 9:35pm the Selectmen went into a non public session per RSA 91-A3II.

The meeting adjourned at 11:01pm.

Respectfully submitted,

Nancy J. Spencer
Administrative Assistant